Outcomes, Quality and Effectiveness: How do we know if we are getting it right?

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Executive Summary

Whether we are examining the effectiveness of an individual matter, a special project, or an entire program, we must first be clear about what we are trying to achieve and then plan thoughtfully about what is necessary to achieve it. What particular outcomes tell us about the quality and effectiveness of a program must be determined in the light of specific goals and objectives.

We need to be clear about what we are attempting to measure. Most of us are already collecting substantial data that can tell more of the story of our work. We should be working together to determine a balanced approach measuring outcomes that will provide meaningful information.

It is also important to attempt to find ways of measuring not only hard data but also other, more subjective, indications of program quality and effectiveness.

Introduction

I have been asked in this paper to discuss outcomes, quality and effectiveness in legal services delivery. These issues, so thoroughly intertwined, are truly the heart of the matter. As I have thought about it, the very same approach to these topics applies whether we are thinking about an individual client matter, an administrative system, the work of a unit or project, or the overall legal services program that we work for. In order to consider how we might measure outcomes, we must first be clear about what it is we are trying to achieve. To position a program such that it may achieve its goals, there must be clarity about how to allocate our financial and human resources effectively. We will only achieve the results we seek for our clients if we strive for excellence and have articulated standards by which we will measure our work.

Legal Services for New York City (LSNY), where I am chief of operations, is a large urban program, serving what is likely the most diverse client population in the country. We have undergone a major restructuring that resulted in a system intended to preserve opportunities to tailor local service models to particular communities and at the same time improve coordination and accountability. We have completed much of the work on the infrastructure; now our challenge is to live up to the expectation we have set for ourselves that the restructuring will ultimately improve client services. In that context, the topics for this paper are right on time.

I. What are we trying to achieve?

That question goes to the mission of an organization as well as the goal of a particular project or an individual case. At LSNY, where we have placed a value on each project's ability to tailor its program to its client community, we must recognize that there may be no one right answer. Our local programs (Constituent Corporations, or "CCs") have developed very different models, emphasizing community economic development, hotlines, affirmative litigation, special projects or a service delivery approach. As a result, the goals that each of these CCs sets may vary substantially. Even within a CC there may be a number of different kinds of work being done. The first responsibility is to clarify the goal of a particular aspect of our work. It is especially important in an environment that is so numbers-driven to step back and assess what we are trying to achieve. For example, a hotline may be established as a way of assisting the largest number of clients with limited resources, or it may be considered an effective way of conducting intake and case acceptance. The structure of the hotline may be altered based on which goal is considered more important. A community economic development unit may be seeking to stem gentrification or to partner with private developers to improve the infrastructure of a neighborhood. It is important for us to consider, or reconsider, what we do and why we do it. It is a given that with limited resources we can only do some of what is needed in our communities, so it is incumbent on us to focus our resources in a way that will serve our clients well.

The process of identifying and articulating what we are trying to achieve is essential if we are to be in a position to ultimately evaluate our success. This is important both with respect to how we organize our programs and how we manage individual matters, and it seems to me this is the right place to start.

As we attempt to assess the effectiveness of our work, it is important to look at hard data but it is also important to examine the other ways that we achieve important results for our clients.

II. What are the most effective ways to accomplish our goals?

If we have clearly established what we are seeking to achieve, we are able to begin to think about what we need to do to get there. This applies whether we are thinking about an individual client, a substantive or administrative project or services across a large service area.

What are the strategies or skills we need to bring to bear on a problem; how do we develop those skills; what are the tasks required to move the project forward; do we have the necessary resources? The answers to these questions should inform our approach to providing services. If we plan thoughtfully, we are more likely to achieve the outcomes we are seeking.

In order to be sure that the emphasis is on quality and effectiveness, we need to look for ways to involve supervisors and peers in both formal and informal ways in all of our work. At LSNY, we are attempting to develop useful models as we move to the next stage of our restructuring. The Legal Support Unit (LSU), which is the training and back-up center for the LSNY offices, is now actively seeking opportunities to work with our local programs on specific programs that have been identified locally. We have created a new position, Chief of Litigation and Advocacy, to play a leadership role in developing a system-wide standard of excellence. The projects will enable local staff to work closely with one or more of our substantive coordinators and the Chief of Litigation and Advocacy on particular practical issues affecting their clients. This in turn provides opportunities to identify areas where we may need to develop more extensive training programs, but also gives one-to-one help in writing, editing, research, or other skills necessary to provide high quality services. We hope to find ways of improving the degree to which staff from one location can know about and take advantage of expertise that may exist in another office or in the LSU.

We are seeking to expand our supervisory training and to work with program leaders to provide some more uniform approach to evaluation of work. More regular case reviews, more opportunities for staff development either within or without the LSNY program, and more regular feedback to staff, are all important ingredients in ensuring quality and therefore positioning our programs to achieve the results we are seeking for our clients.

We are working on a project management model in LSNY's administrative office and this has enabled us to stay on task much more effectively. The management team at LSNY has engaged in this discussion with respect to our own work. We meet regularly as a management team to talk about progress or to raise problems as they arise. We meet regularly with the Executive Director and with those who report to us. We developed a mission statement and four primary goals. That assessment required us to engage in a thoughtful process of self-examination that helped us to define our role in the legal services community in New York City and to identify what strengths we bring or need to develop, what other resources exist and who our partners might be in this work. We then articulated a number of projects and teams under each of those goals. This forms the basis of our work plan and allows us to measure our progress and ultimate success. It is not a perfect system, because the nature of our work requires that we be flexible enough to respond to unplanned issues as they arise. But it is a model that helps to keep us on track and one that can be applied in our local offices as well.

These approaches focus our attention on the critical questions: what are our goals and how can we meet them most effectively?

III. Measuring Outcomes

Assessing the effectiveness of our work – are we getting it right – are we using our resources effectively – are we achieving appropriate results for our clients – is the topic of much discussion among LSNY's management staff and board. The goal of LSNY's restructuring is to achieve a coordinated, client-centered program where the diversity of our program models, the range of expertise of our staff, the community-based nature of our local offices, all inure to the benefit of our clients. We are at the beginning of the process of self-examination.

There is already in place a mechanism for getting lots of hard data. Our case tracking allows us to see the numbers and we have been tracking "outcomes" for IOLA for a number of years. We know how many evictions we have prevented, how many children we have kept out of foster care, how many disability cases have been won for our clients. We also track dollar benefits, both directly to clients and indirectly in terms of savings to taxpayers that result from certain types of cases. This information is tracked in our case management system; with respect to dollar benefits to clients, the data is individualized; with respect to savings to taxpayers, it is formula-driven.

We developed the formula approach in collaboration with a committee of IOLA grantees in the New York State. For example, we gathered data about the average percentage of evictions that result in families entering the shelter system, the average length of stay for families that enter the shelter system, and the cost to the city for that stay. That dollar amount is automatically entered into the case management system each time we successfully defend a client against an eviction proceeding. We use a similar approach in abuse and neglect proceedings where we have succeeded in keeping children out of the foster care system. Our case management system applies a formula that multiplies the number of children affected in the matter by the average cost to keep a child in foster care for the average length of stay. In 2003, these calculations resulted in our being able to report over $55 million in taxpayer savings and over $6 million in individual benefits to clients. This information is helpful to us internally and as we report to funders, but it does not tell the whole story.

This data does not accurately describe the work that we do on special projects or certain types of impact cases, nor does it measure the effectiveness of advice and brief services. These matters, at either end of the spectrum, represent a substantial part of our work. At one end, impact work needs to be measured in terms of the value of the effort, the quality

of the ongoing work, and the long-term impact on our communities. Advice and brief services allow us to reach many more people, determine the most appropriate allocation of our resources, and have positive results for our clients as well.

There are other important outcomes that the hard data cannot present: the extent to which our intervention has stabilized a family or an individual over time; the extent to which the existence of a tenants' association will empower people to take on conditions in their building or community; the value of training staff at community organizations or providing essential information to client groups; the impact on the community of building a new school or training low-income people to become child-care providers.

It is also important to measure how the outside community views us. Our ability to recruit excellent staff, our relationships with the private bar, our reputation in the funding community and with community organizations and our partners in the public interest community, are all measures that tell us something about the quality of our work and need to be included in any assessment of our effectiveness.

Given our growing reliance on technology and the resulting capacity to report numbers, we need to be careful about avoiding the sole reliance on numbers to tell our story.

At the same time, it is completely unrealistic to expect that any program can report in detail on all, or even most, of our work. It is also extremely difficult to track long-term outcomes. Either of these would take essential program resources away from client services. We need to balance the need for information against the effort required to provide it.

Recommendation

Work to reach a consensus among different kinds of legal services program models about what we think should be measured to assess outcomes and what standards should be applied to evaluate those outcomes.

In addition to the data we already provide to LSC or other funders, there is information we collect but do not currently report. For example, we know the number of people in each household, which tells us more accurately the number of people who benefit from our services. We collect data on income source and amount, and we document the length of time each case is open. Work with a committee representing programs that use different case management systems to agree upon some kinds of information that we already collect would be helpful to us in assessing the results of the work we do. Develop an agreed-upon standard for how the data is massaged and what it would tell us.

Work with each of the primary legal services case management system developers to produce consistent reports so that we are looking at the data in the same format.